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May 18, 2011

BY ECF

The Honorable Joanna Seybert  
United States District Court Judge  
Eastern District of New York  
Alfonse M. D'Amato Federal Building  
United States District Court  
100 Federal Plaza  
Central Islip, NY 11722

Re: *JDM Long Island LLC v. U.S. Bank N.A., as Trustee;*  
*U.S. Bank N.A., as Trustee v. Town of Hempstead IDA, et al.,*  
No. 10-cv-05564-JS-AKT

Dear Judge Seybert:

This firm represents defendant and counterclaim plaintiff U.S. Bank N.A. in the above-referenced action. We have spoken with LIPA and National Grid, who have agreed that LIPA and National Grid will not discontinue service to the premises at 175 Fulton Avenue, Hempstead, New York 11550 pending the appointment of a receiver for the property and a reasonable period of time thereafter (at least 10 business days) to work out a payment agreement with the receiver with respect to the amounts owed. As a result of this agreement, we have agreed to strike the proposed paragraph on page 8 of the proposed Order on Consent that states:

**ORDERED**, that all utility companies (including but not limited to the Long Island Power Authority ("LIPA") and National Grid) and other persons or entities doing business with plaintiff-counterclaim defendant with respect to the premises are restrained from discontinuing service to the premises without further order of this Court; and it is further

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Honorable Joanna Seybert

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In light of this agreement, counsel for LIPA and National Grid has informed me that they support the entry of the proposed Order on Consent Appointing Receiver in Mortgage Foreclosure Action.

Respectfully,

/s/ Jeffrey R. Wang  
Jeffrey R. Wang

cc: Kevin J. Nash, Esq. (by e-mail)  
Elisa M. Pugliese, Esq. (counsel for LIPA and National Grid) (by e-mail)